

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WILSON DIVISION

IN RE:

CASE NO.: 04-01396-8-JRL

PAYNE, JERRY RANDALL

Debtor(s)

Chapter 7

**AMENDED NOTICE OF PROPOSED PUBLIC SALE AND
NOTICE OF COMPENSATION OF AUCTIONEER**

TO: ALL PARTIES IN INTEREST

1. Pursuant to 11 U.S.C. §363(b), Federal Rules of Bankruptcy Procedure 6004, 2002 (a), and 2002 (c) (1), notice is hereby given that James B. Angell, the Chapter 7 Trustee ("Trustee") proposes to sell the following described property:

2000 Audi A-6 2.7 T-4

2. Notice is further given that the Trustee proposes to sell said property at the date, time and place as hereinafter set out:

DATE: Saturday, September 4, 2004

TIME: 10:00 a.m.

PLACE: 2230 Carolina Beach Road
Wilmington, NC 28401

3. The Trustee has filed an application with the court to approve the employment of Ben Shumate as auctioneer whose compensation shall be fixed at a rate not to exceed the following:

Real Property

10% of first \$5,000.00

3% on next \$10,000.00

2% on next \$60,000.00

1.5% of next \$120,000.00

1% on balance

Personal Property

10% on first \$ 25,000.00

5% on next \$ 25,000.00

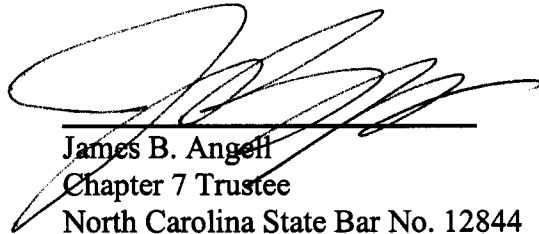
2% on the balance

4. The auctioneer shall be reimbursed for all reasonable and necessary expenses of sale. Such compensation and reimbursement of expenses shall be subject to final review by the court, without further notice.

5. An objection to the proposed sale and/or compensation of the auctioneer may be filed with the Clerk, U.S. Bankruptcy Court, P.O. Drawer 2807, Wilson, North Carolina, 27894-2807, with a copy served on the Trustee whose name appears at the

bottom of this notice, WITHIN FIFTEEN (15) DAYS of the date of this notice. No hearing will be conducted on said objection unless the court, in its discretion, deems a hearing necessary, or unless a hearing is requested by the party filing such request. If a hearing is requested it will be held at a date, time and place to be later set by the court and all interested parties will be notified accordingly. Any party requesting a hearing shall appear at the hearing in support of such request or he may be assessed with costs.

DATED: August 3, 2004.



James B. Angell

Chapter 7 Trustee

North Carolina State Bar No. 12844

Post Office Box 12347

Raleigh, North Carolina 27605

Telephone: 919-821-7700

Facsimile: 919-821-7703

CERTIFICATE OF SERVICE

I, Jennifer Cowgill, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on the 3 day of August 2004, I served a copy of the foregoing Amended Notice of Proposed Public Sale and Notice of Compensation of Auctioneer on:

Marjorie K. Lynch, Esquire
Bankruptcy Administrator
Post Office Box 3758
Wilson, North Carolina 27894-3758

PAYNE, JERRY RANDALL
135 Rogers Avenue
Wilmington, Wilmington 28403

Bradford H. Sanders
111 N. Fifth Avenue
PO Box 38
Wilmington, NC 28401

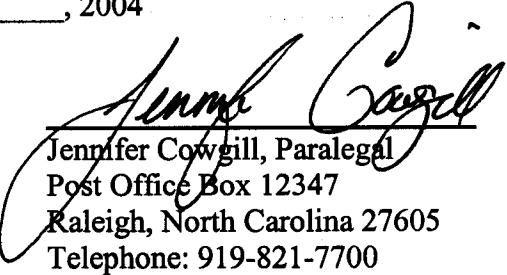
Berkshire Bank
Attn: Managing Officer/Agent
P.O. Box 1308
Pittsfield, MA 01202-1308
VIA CERTIFIED MAIL

(See attached creditor address Matrix)

by depositing same in the United States mail, first class, postage prepaid.

I certify under penalty of perjury that the foregoing is true and correct.

This 3 day of August, 2004


Jennifer Cowgill, Paralegal
Post Office Box 12347
Raleigh, North Carolina 27605
Telephone: 919-821-7700

ALLIANCE ONE
ATTN: MANAGING OFFICER/AGENT
4850 STREET ROAD, LEVEL C
FEASTERVILLE TR, PA 19053

ALLIED INTERSTATE
ATTN: MANAGING OFFICER/AGENT
3111 S. DIXIE HWY, SUITE 101
WEST PALM BEACH, FL 33405

ARROW FINANCIAL SERVICES, INC.
ATTN: MANAGING OFFICER/AGENT
5996 WEST TOUHY AVENUE
NILES, IL 60714-4610

BERKSHIRE BANK
ATTN: M ANAGING OFFICER/AGENT
POST OFFICE BOX 1308
PITTSFIELD, MA 01202-1308

BUCKLEY, RICHARDSON & GELINAS,
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 15507
SPRINGFIELD, MA 01115-5507

CAPITAL ONE BANK
ATT: MANAGING AGENT/OFFICER
PO BOX 85015
RICHMOND, VA 23285

CCB CREDIT SERVICES, INC.
ATTN: MANAGING OFFICER/AGENT
1045 OUTER PARK DRIVE
SPRINGFIELD, IL 62704

CCB CREDIT SERVICES, INC.
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 272
SPRINGFIELD, IL 62705

CHARLOTTE PAYNE
219 GLENWOOD AVENUE.
PAWTUCKET, RI 02860

COLLECTION COMPANY OF AMERICA
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 329
NORWELL, MA 02061-0329

CROSS COUNTRY BANK
ATTN: MANAGING OFFICER/AGENT
800 DELAWARE AVENUE
WILMINGTON, DE 19801

DOCTOR'S URGENT CARE CENTER
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 41008
FAYETTEVILLE, NC 28309-1008

FLETCHER, RAY & SATTERFIELD,
ATTN: MANAGING OFFICER/AGENT
130 NORTH FRONT STREET, SUITE
WILMINGTON, NC 28401

FMA ALLIANCE, LTD.
ATTN: MANAGING OFFICER/AGENT
11811 NORTH FREEWAY, SUITE 900
HOUSTON, TX 77060

GOLD & VANARIA, P.C.
ATTN: MANAGING OFFICER/AGENT
1350 MAIN STREET, SUITE 1400
SPRINGFIELD, MA 01103

HOLLAND & BONZAGNI, PC
ATTN: MANAGING OFFICER/AGENT
171 DWIGHT ROAD
LONGMEADOW, MA 01106

I.C. SYSTEMS, INC.
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 64437
SAINT PAUL, MN 55164-0437

INTERNAL REVENUE SERVICE
320 FEDERAL PLACE
ATTN: SPECIAL PROCEDURES
GREENSBORO, NC 27402

NCO FINANCIAL SYSTEMS, INC.
ATT: MANAGING AGENT/OFFICER
PO BOX 41457
PHILADELPHIA, PA 19101

NEW HANOVER COUNTY SHERIFF'S
ATTN: MANAGING OFFICER/AGENT
20 NORTH 4TH STREET
WILMINGTON, NC 28401-4591

NORTH CAROLINA DEPT. OF
OFFICE SERV. DIVISION BANKR.
POST OFFICE BOX 1168
RALEIGH, NC 27602-1168

NORTH SHORE AGENCY, INC.
ATTN: MANAGING OFFICER/AGENT
751 SUMMA AVENUE
WESTBURY, NY 11590

NORTHLAND GROUP, INC.
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 390846
MINNEAPOLIS, MN 55439

NYSHESC
ATTN: MANAGING OFFICER/AGENT
99 WASHINGTON AVENUE
ALBANY, NY 12255

New Hanover County Sheriff's
20 North 4th Street
Wilmington, NC 28401

SECURITY COLLECTION AGENCY
ATTN: MANAGING OFFICER/AGENT
309 SOUTH BROAD STREET
EDENTON, NC 27932

R. Jay Short Jr.
131 Racine Dr., Suite 201
Wilmington, NC 28403

VERIZON
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 15150
WORCESTER, MA 01615-0150

VERIZON WIRELESS
ATTN: MANAGING OFFICER/AGENT
20 ALEXANDER AVENUE DRIVE
WALLINGFORD, CT 06492-7529

WACHOVIA BANK
ATTN: MANAGING OFFICER/AGENT
POST OFFICE BOX 45038
JACKSONVILLE, FL 32232-5038